

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

United States of America,

Plaintiff,

Case No. 23-cr-20088-1

v.

Judith E. Levy

United States District Judge

Deshawn Allen,

Mag. Judge Kimberly G. Altman

Defendant.

_____/

ORDER STRIKING PLAINTIFF’S PRO SE MOTION [37]

On or about September 26, 2024, Defendant Deshawn Allen filed a *pro se* motion to “refer the United States Attorney[’s] Office for the Eastern District of Michigan to the Attorney General for an investigation into the District-wide delay that has affected each and every case where criminal charges have been brought against the defendant.” (ECF No. 37, PageID.101.)

The Court will strike Defendant’s motion because Defendant is currently represented by counsel. *See United States v. Shephard*, No. 1:19CR443, 2021 WL 1239360, at *1 (N.D. Ohio Apr. 2, 2021) (“[I]t is well settled that that the district court need not consider *pro se* motions filed

by defendants represented by counsel.” (citations omitted)); *see also Miller v. United States*, 561 F. App’x 485, 488 (6th Cir. 2014) (“A defendant has a constitutional right to be represented by counsel *or* to represent himself during his criminal proceedings, but not both.” (emphasis in original)); *United States v. Porter*, No. 19-20115, 2022 WL 1547751, at *3 (E.D. Mich. May 16, 2022) (“The decision whether to permit a defendant to both represent himself and be represented by counsel is a matter of the Court’s discretion, not a matter of right. Such discretion has very rarely been exercised to permit hybrid representation in the Sixth Circuit.” (citations omitted)). If Defendant wishes to represent himself, he must request his attorney file a motion for withdrawal.

IT IS SO ORDERED.

Dated: October 8, 2024
Ann Arbor, Michigan

s/Judith E. Levy
JUDITH E. LEVY
United States District Judge

CERTIFICATE OF SERVICE

The undersigned certifies that the foregoing document was served upon counsel of record and any unrepresented parties via the Court's ECF System to their respective email or first-class U.S. mail addresses disclosed on the Notice of Electronic Filing on October 8, 2024.

s/William Barkholz
WILLIAM BARKHOLZ
Case Manager